

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

VALERIE BANKS,

Plaintiff,

Case No. 2:23-CV-00772-ART-NJK

v.

ORDER

CAI

Defendants.

Pro se Plaintiff Valeries Banks brings this action under Title VII of the Civil Rights Act of 1964 and the Age Discrimination in Employment Act of 1967. United States Magistrate Judge Nancy J. Kope ordered Plaintiff to show cause by June 20, 2023 why the case should not be dismissed or transferred as being filed in an improper venue. (ECF No. 3.) Plaintiff never filed anything in response. Before the Court is the Report and Recommendation (“R&R” or “Recommendation”) of Judge Kope (ECF No. 4), recommending the Court dismiss the case without prejudice. Plaintiff had until July 13, 2023 to file an objection. To date, no objection to the R&R has been filed. For this reason, and as explained below, the Court adopts the R&R and will dismiss the case without prejudice.

The Court “may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). Where a party fails to object to a magistrate judge’s recommendation, the Court is not required to conduct “any review at all . . . of any issue that is not the subject of an objection.” *Thomas v. Arn*, 474 U.S. 140, 149 (1985); *see also United States v. Reyna-Tapia*, 328 F.3d 1114, 1116 (9th Cir. 2003) (“De novo review of the magistrate judges’ findings and recommendations is required if, but *only* if, one or both parties file objections to the findings and recommendations.”) (emphasis

1 in original); Fed. R. Civ. P. 72, Advisory Committee Notes (1983) (providing that
2 the Court “need only satisfy itself that there is no clear error on the face of the
3 record in order to accept the recommendation.”).

4 Because there is no objection, the Court need not conduct de novo review,
5 and is satisfied Judge Kope did not clearly err. Here, Plaintiff alleged that CAI
6 engaged in age discrimination, retaliation/harassment, and defamation of
7 character. (ECF No. 1-1 at 11.) Judge Kope recommends the Court dismiss the
8 case because the District of Nevada is an improper venue. (ECF No. 4 at 1.)
9 Defendant CAI appears to be located in Pennsylvania and it is not currently clear
10 where Plaintiff’s claims occurred. (*Id.*) Thus, the Court agrees with Judge Kope
11 that it is an improper venue. Having reviewed the R&R and the record in this
12 case, the Court will adopt the R&R in full.

13 It is therefore ordered that Judge Kope’s Report and Recommendation
14 (ECF No. 4) is accepted and adopted in full.

15 It is further ordered that the case is dismissed without prejudice.

16 It is further ordered that the Clerk of Court close the case.

17 DATED THIS 31st Day of August 2023.

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20 ANNE R. TRAUM
21 UNITED STATES DISTRICT JUDGE
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